

TITLE: Inefficiency with using EMMA 1.0

DATE: 04/04/2017

PROJECT: Construction Package No. 2-3

CONTRACT NO: HSR13-57

CONTRACTOR: Attn: Michael Costa
 Dragados / Flatiron Joint Venture
 1775 Park St, Bldg 75
 Selma, CA 93662

DESCRIPTION OF CHANGE:

DFJV to provide additional labor, equipment and materials to overcome the inefficiencies with system availability and lack of functionality with the implementation of the Authority provided EMMA 1.0 software.

This change order includes resolution of DFJV's COP No. 12 (DFJV-HSR-0216). This change order also includes the inefficiencies and additional cost encountered from July 2016 until DFJV started using ORION.

The compensation in this change order is per Section 17.0 and Section 23.0 of the General Provisions. These costs are agreed as full and complete costs for DFJV and their subcontractors.

PCO	Payment Item	Description	Quantity	Units	Unit Price	Net Amount	Time Adj. (Days)
00001		Inefficiencies with the use of Authority provided EMMA software	1.0	LS	\$290,000.00	\$290,000.00	0
Total:						\$290,000.00	0

ATTACHMENTS:

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Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by
			je

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Release of Claims

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

Contractor's Sworn Certification

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.

The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.

Subcontractor's Sworn Certification(s):

Attached as _____ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

Dragados / Flatiron Joint Venture

Acceptance by

Signature

Michael Costa - Project Director

Date

4/25/17

California High-Speed Rail Authority

Submitted by

Signature

Charlie Guess - DB Oversight Manager

Date

4-26-17

Approval By

Signature

Jorge Granados - Design & Construction Manager

Date

4/26/17

Initials Acknowledging Page 2 of 2

Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by
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